

SENATOR WESELY: Fine. I think that that is a very reasonable proposal and would be willing to support the bill.

PRESIDENT: Senator Schmit, do you have a further statement?

SENATOR SCHMIT: That is all, Mr. President.

PRESIDENT: Senator Cullan, do you wish to be recognized?

SENATOR CULLAN: Thank you, Mr. President. Would Senator Schmit yield to a couple of questions? Senator Schmit, when I look at this area of surface water rights and I think it is important to realize as certainly as you know that Nebraska has two conflicting concepts and two conflicting doctrines of surface water rights, the appropriative system, based upon first in time, first in right, and the riparian system based upon reasonable use. My question is this. Will this in any way affect the validity of riparian rights along streams by removing water from that basin or resulting in increased water use out of those streams and thereby adversely affect the rights of those riparian landowners which border the various rivers in the State of Nebraska?

SENATOR SCHMIT: Senator Cullan, this bill in no way adversely impacts upon the riparian rights of those users. We have not touched upon those rights, that deals only with the surface water rights.

SENATOR CULLAN: But as I understand this bill, will it result in increased appropriation...increased use of water from an appropriative standpoint, or I guess that is my question, will it result in moving water further away from the stream or increasing the value of some of the appropriative rights that are currently in effect in the state?

SENATOR SCHMIT: Well, Senator, I believe those rights will be protected by the Director of Water Resources. He can take into consideration any impact such as what you have described, but the purpose of this bill is strictly to deal with the movement of water within an irrigation district from one area to another.

SENATOR CULLAN: And as I understand that movement would be required to be within the same water basin.

SENATOR SCHMIT: That is right.

SENATOR CULLAN: Okay, thank you very much, Senator Schmit, I appreciate your.....(mike deactivated).

PRESIDENT: The Chair.....(mike deactivated).